

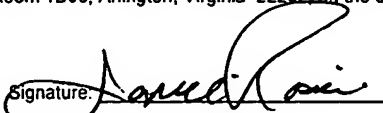
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I hereby certify that this correspondence is being hand delivered to: Customer Window, MS Amendment, U.S. Patent and Trademark Office, 220 20th Street S., Crystal Plaza Two, Lobby, Room 1B03, Arlington, Virginia 22202, on the date shown below.

Dated: February 15, 2005

Signature:


(Janice Rosier)

Atty. Docket No: 449122077200



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Peter SCHNEIDER

Serial No.: 10/510,763

Filing Date: October 12, 2004

For: METHOD FOR COMMON CONTROL
OF THE BANDWIDTHS OF A GROUP
OF INDIVIDUAL INFORMATION
FLOWS

Examiner: Not Yet Assigned

Group Art Unit: Not Yet Assigned

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicant submits for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08a/b. A copy of foreign documents and non-patent literature are submitted herewith. The Examiner is requested to make these documents of record.

This Information Disclosure Statement is submitted within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.

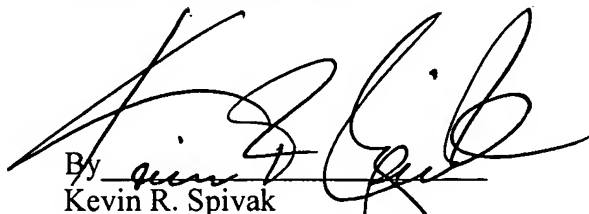
Applicant would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicant petitions for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **449122077200**.

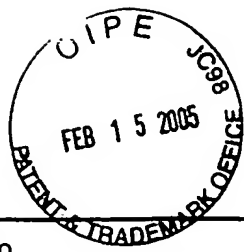
Dated: February 15, 2005

Respectfully submitted,



By
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ALTERNATIVE TO PTO/SB/08a/b (06-03)

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|--|---|----|---|--------------------------|------------------|
| Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary) | | | | Complete if Known | |
| | | | | Application Number | 10/510,763 |
| | | | | Filing Date | October 12, 2004 |
| | | | | First Named Inventor | Peter SCHNEIDER |
| | | | | Art Unit | Not Yet Assigned |
| | | | | Examiner Name | Not Yet Assigned |
| Sheet | 1 | of | 1 | Attorney Docket Number | 449122077200 |

| U.S. PATENT DOCUMENTS | | | | | |
|-----------------------|--------------------------|--|--------------------------------|--|---|
| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Number-Kind Code ² (if known) | | | |
| | 1. | US-5,313,579 | 05-17-1994 | Chao | |
| | 2. | US-5,982,748 | 11-09-1999 | Yin et al. | |

| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------|--------------------------|---|-----------------------------------|--|---|----------------|
| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
| | | Country Code ³ -Number ⁴ -Kind Code ⁵ (if known) | | | | |
| | 3. | EP-0977405-A1 | 02-02-2000 | Alcatel | | ✓ |
| | 4. | EP-1096735-A2 | 05-02-2001 | Matsushita Electric | | ✓ |
| | 5. | EP-0843499-A2 | 05-20-1998 | Italtel s.p.a. | | ✓ |

*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

| NON PATENT LITERATURE DOCUMENTS | | | | |
|---------------------------------|-----------------------|---|--|----------------|
| Examiner Initials | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | | T ² |
| | 6. | J. Heinanen et al. "A Two Rate Three Color Marker," RFC 2698, September 1999, pp.1-5. | | |
| | 7. | M. May et al. "Simple Performance Models of Differentiated Services Schemes for the Internet," IEEE, 1999, pp. 1385-1394 | | |
| | 8. | Z. Cao et al. "Rainbow Fair Queueing: Fair Bandwidth Sharing Without Per-Flow State," IEEE Infocom 2000, pp. 922-931. | | |
| | 9. | S. Floyd et al. "Random Early Detection Gateways for Congestion Avoidance," IEEE/ACM Transactions on Networking, August 1, 1993, Vol. 1, No. 4, pp. 397-413. | | |

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| Examiner Signature | | Date Considered | |
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